Because you are a member of the motor vehicle repair industry, Miami-Dade County motorists depend on you to keep their vehicles running safely and efficiently.





Suite 903 140 West Flagler Street Miami, Florida 33130-1561 Tel: (305) 375-4222 Fax: (305) 375-3512 TDD: (305) 375-4177

E-mail: consumer@miamidade.gov Internet: www.miamidade.gov

Miami-Dade County **Motor Vehicle** 

# Repair Ordinance for Repair Shops and Mechanics

Consumer Services Department

133.01-23 8/01

By following the guidelines in this brochure, you can avoid misunderstandings and problems. In addition to the selected topics covered in this brochure, you must be familiar with and abide by all other provisions of the **Miami-Dade County Motor Vehicle** Repair Ordinance.

If you have any questions, contact the Consumer Services Department (CSD), Consumer **Protection Division, Motor Vehicle** Repair Section at the number given in this brochure. CSD regulates mechanics and motor vehicle repair facilities, informs customers and investigates complaints, and enforces the Motor Vehicle Repair Ordinance.

## **Be Properly Certified**

Motor vehicle repair shops, including paint and body shops and shops that only perform minor repairs, must be registered with the CSD.

Mechanics and technicians must also be certified by the CSD to do work in any of the categories of major motor vehicle repair. Unless you are supervised by someone who is certified, you may not work in areas for which you are not certified. Your certificate must be displayed where it can be clearly seen and read by the customer.

If you are not certified in a repair category, you must have an apprentice permit issued by the CSD. An apprentice must work under the supervision of a certified mechanic at all times.

You may not register as an apprentice if you qualify for certification.

Beginning January 1, 2000, all certified mechanics and technicians must complete 16 hours of continuing education annually to renew. Continuing education programs are available from schools, associations, manufacturers, and bona fide correspondence programs.

Repair shops, mechanics/technicians, and apprentices must file renewal applications with the CSD every year. Late filings will result in late fees being assessed. Also, you must notify the CSD within 10 days of any change of information on file.

Violations of these provisions can subject you to fines and legal action.

#### Alex Penelas Mayor

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Robert A. Ginsburg Steve Shiver County Manager

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability, "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."



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## Provide An Estimate and Disclosure Statement

Florida and Miami-Dade County laws require you to give every customer (including commercial customers) a written repair estimate when the cost of repairing the vehicle is \$100 or more. The written estimate must be provided whether or not the customer requests it.

If the customer is not present when the vehicle is brought into your shop, you must notify the customer by telephone, fax or other means of the estimated cost of the repair work.

A written estimate sets forth the estimated cost of the repair, including any diagnostic work, before the work is actually done. It must include 1) the shop's and the customer's name, address and telephone number, 2) the date and time of the estimate, 3) the year, make, model, odometer reading, and tag number of the vehicle, 4) a statement as to whether charges are based on a flat rate or hourly rate, or both, 5) the estimated cost of the repair, 6) the charge for making an estimate, 7) how the customer intends to pay, 8) the name and telephone number of another person who may authorize the

work, if any, 9) what is guaranteed and the time and mileage period of the guarantee, 10) a place for the customer to request whether replaced parts should be saved for inspection or returned, 11) disclosure of any storage costs that begin after 3 working days of notice that the work is completed.

The estimated cost of repair must be provided to the customer in writing; otherwise, if there is a dispute later on, you may be unable to receive payment for any work in excess of \$100.

You may not exceed the written estimate by more than \$10 or 10% (whichever is greater), and never by more than \$50 regardless of the cost of the repair, unless you contact the customer, either by telephone or in writing, and advise what the added cost (parts and labor) will be. The customer must approve the added cost.

## Make Sure Your Shop Displays The Sign

The law requires all registered repair shops to post a 2' x 3' consumer information sign where it may be clearly seen and read by a customer. The sign advises customers of their right to an estimate and provides the telephone number of the CSD.

The sign must be in English, Spanish and Creole and must contain specific wording detailed in Sec. 559.905(2), Florida Statutes.

## Advertising

Each motor vehicle repair shop must include its Miami-Dade County registration number in all advertisements. This requirement pertains to all media, including print, radio and television. It also includes ads and one-line listings placed in the Yellow Pages, any ad sent by mail and classified ads.

## **Complaints And Records**

You are required to keep all of your records, including all written customer complaints, for two (2) years.

If you receive a consumer complaint from the CSD, you must promptly and thoroughly investigate it. You must respond to the CSD within 10 days and, if the complaint cannot be resolved in that time, advise the CSD of the status of the complaint and the reason for the delay. Within 20 days, you must satisfy or object to the complaint and advise the CSD of the disposition, the names of the persons involved in the repair work, and the specific reasons you object to the complaint (if applicable).

Failing to adhere to these requirements will subject you to a fine.

#### Subcontracted Work

If your shop does not have specialized equipment to perform certain repairs, you may accept the work as long as you subcontract the repairs to another shop that is registered and has the specialized equipment. You must include this information on your registration application.

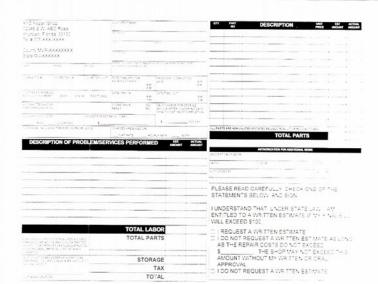
Before the repair work begins, you must obtain a signed acknowledgment from the customer disclosing that the work will be performed someplace else. The written disclosure must contain the specific wording detailed in the Ordinance and must include the other shop's Miami-Dade County registration number.

If the customer is not present when the vehicle is brought into your shop, you must notify the customer by telephone, fax or other means.

#### Provide An Itemized Invoice

When repairs are complete, you must provide customers with a legible copy of an invoice for the repair. The invoice may be on the same form as the written repair estimate. A sample of a combined repair estimate and invoice is shown for illustrative purposes only.

The invoice must have 1) the current date and odometer reading, 2) a description of the service performed, 3) an itemized description of all labor, parts, and merchandise and their costs, 4) identification of any used, rebuilt or reconditioned replacement parts, 5) what is guaranteed and the time and mileage period for any guarantee, and 6) the motor vehicle repair shop's State of Florida and Miami-Dade County registration numbers.



### **Prohibitions**

As a motor vehicle repair professional, you are prohibited from engaging in unfair and deceptive practices. In addition to being the law, it's just good business. You may not:

- Make a written or oral untrue or misleading statement of a material fact.
- Fail to reveal a material fact, the omission of which misleads or deceives the customer.
- Fail to provide the customer a written statement that describes the repairs done and identifies the mechanic.
- · Make or charge for repairs that were not authorized.
- Misrepresent that repairs were made, or that certain parts and repairs are needed,
  or that the customer's vehicle is in a dangerous condition.
- Fraudulently alter any customer contract, estimate, invoice or document.
- Fraudulently misuse any customer's credit card.
- Make false promises to influence a customer to authorize a repair.

- Substitute used, rebuilt, salvaged, or straightened parts for new replacement parts without notice to the customer and their insurer.
- Allow a customer to sign any work order that does not state the repairs requested or the vehicle's odometer reading at the time of the repair.
- Fail or refuse to give to a customer a copy of any document requiring the customer's signature upon completion or cancellation of the repair work.
- Depart from or disregard accepted motor vehicle repair industry standards,
- Conduct business in a location other than the one stated on your application.
- Rebuild or restore a rebuilt vehicle in a way that does not conform with the manufacturer's repair procedures or specifications without the customer's knowledge.
- Fail to honor your agreement to repair a vehicle as stated in the written estimate.
- Refuse to make a bona fide attempt to perform any corrections or additional repairs, without extra charge, to conform with any warranty or the written estimate and invoice.